

1 **THE HONORABLE RICARDO S. MARTINEZ**

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

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<p>10 UNITED STATES OF AMERICA, et al.,</p> <p>11 Plaintiff,</p> <p>12 vs.</p> <p>13 STATE OF WASHINGTON, et al.,</p> <p>14 Defendant.</p>	<p>No. C70-9213</p> <p>Subproceeding 24-1</p> <p>ORDER SETTING BRIEFING SCHEDULE</p> <p>ON MOTIONS TO DISMISS AND</p> <p>STAYING CASE DEADLINES</p>
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15 THIS MATTER came before the Court by unopposed motion of the Swinomish Indian Tribal
16 Community, Jamestown S’Klallam Tribe, Lower Elwha Klallam Tribe, Nooksack Indian Tribe, Port
17 Gamble S’Klallam Tribe, Sauk Suiattle Indian Tribe, Squaxin Island Tribe, Stillaguamish Tribe,
18 Suquamish Tribe, Tulalip Tribes, Upper Skagit Indian Tribe, and the State of Washington (“Moving
19 Parties”) to set a briefing schedule on motions to dismiss the Request for Determination in this
20 action and to stay deadlines contained in Fed. R. Civ. Proc. 26 and 16, including deadlines to file
21 responses or answers to the Request for Determination as required by Paragraph 25 to the Final
22 Injunction. The Nisqually Indian Tribe and the United States have not joined but do not oppose the
23 motion.
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26 No. C70-9213, Subpr. 24-1
27 MOTION AND ORDER

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Accordingly, the Court hereby ORDERS the following briefing schedule:

- a. Motions to dismiss shall be filed on or before November 22, 2024 and shall be noted for consideration on January 24, 2025.
- b. Any party to this action desiring to join any motion to dismiss or file a brief containing argument in support of a motion to dismiss shall do so no later than December 6, 2024.
- c. Responsive materials in opposition to motions to dismiss shall be filed on or before January 17, 2025.
- d. Reply materials shall be filed on or before January 24, 2025.
- e. Motions, briefs in support of motions, and responses shall not exceed 8,400 words and replies shall not exceed 4,200 words in accordance with Local Civil Rule 7(e)(3).

All deadlines contained in Fed. R. Civ. Proc. 26 and 16, including deadlines to file responses or answers to the Request for Determination as required by Paragraph 25 to the Final Injunction, are stayed pending further order of the Court.

DATED this 24th day of October, 2024.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

1 Presented by:

2 s/ Emily Haley

3 s/ Weston LeMay

4 Emily Haley, WSBA #38284

5 Weston LeMay, WSBA #51916

6 Office of Tribal Attorney

7 Swinomish Indian Tribal Community

8 11404 Moorage Way

9 La Conner, WA 98257

10 *Attorneys for Swinomish Indian Tribal Community*

11 **CERTIFICATE OF SERVICE**

12 I hereby certify that on October 24, 2024, I electronically filed this [PROPOSED] ORDER
13 SETTING BRIEFING SCHEDULE AND STAYING CASE DEADLINES with the Clerk of the
14 Court using the CM/ECF system, which will send notice of the filing to all parties registered in the
15 CM/ECF system for this matter.

16 s/ Emily Haley

17 Emily Haley, WSBA No. 38284

18 Swinomish Indian Tribal Community

19 11404 Moorage Way

20 LaConner, WA 98257

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